

My
My Lord BELHAVEN's

MEMORABLE and PROPHETICK

S P E E C H

AGAINST THE

U N I O N

In the Year 1706,

When that TREATY was under the Consideration of the last Parliament of SCOTLAND,

To which is prefix'd,

A PREFATORY DISCOURSE,

Shewing the Expediency of altering that TREATY, in order to the quieting, for the future, the Minds of the Generality of the SCOTCH.

L O N D O N :

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T H E P R E F A C E.



S great national convulsions neve^r happen without some preceding symptoms of peccant humours in the state; it may be likewise said, that such are always created by some public grievance, either real or imaginary, from which the people would be relieved.

For some years before the breaking out of the late rebellion in Scotland, but particularly since the unpopular, not to say, imprudent attempt of disfranchising the city of Edinburgh for the shire, which some few of its inhabitants were supposed to have had in the death of captain Porteous, it was observable, that the middle and lower classes of the Scotch in general were more heated and dissatisfied than had been known at any period of time since the Union of the two kingdoms, not excepting even the year 1715.

At that period, the discontent, which in its course took in many of the lower class, first took rise only in the breasts of a few of the nobility,

who had been disappointed and disgusted at being unheeded and slighted by his late Majesty at his accession to the throne. But the last year, it may be said, that the public Dissatisfaction took root below, and was by consequence likely to become more dangerous, as it would naturally shoot to a greater height, and spread wider, coming from a larger stock.

Yet actual and obvious as this dissatisfaction was, no care was taken to remove it; as if the content of the Scotch, at all times, was a matter of great indifference, perhaps, beneath the notice of an English ministry: or, that the ministerial part of the Scotch themselves, reckoning they should be thought more useful, and consequently, would be more caress'd at London, or for reasons more infamous, winked at, and perhaps, encouraged the growing discontent of their countrymen, without acquainting the court with the increasing infection.

'Tis notorious that the late rebellion was suffer'd to grow, or rather, was nursed up by those whose province it was to have stifled it at its birth. Wherefore, it may be presumed, I think, without any breach of charity, either that the ministry desired its spreading, in order to an increase of the regal power, which is the constant consequence of the suppression of a rebellion, or that the Scotch courtiers had kept the ministers in ignorance, that they might reap a subsequent harvest at the expence of the over-heated part of their country-men. Both motives were equally inglorious and unjustifiable; and, probably, will be found productive of future evils, much easier avoided than remedied.

But, not to dwell on the consideration of any particular views, which either the English or Scotch ministers might have had in not suppressing the
late

late rebellion as early as might be, we will chuse to examine whence that Leven springs, which is so apt to lower the tempers of the Scotch nation in general, to throw them occasionally into murmur and discontent, and to fit them for the seizing all opportunities of getting rid of the yoke, which they seem to think had been imposed upon them by the crafty and self-interested.

The Leven, which has, and I fear will hereafter occasionally produce dangerous convulsions in the state, while it subsists, can proceed but from one of two causes; that is, either from a natural propensity, which the generality of the Scotch may have to the house of Stuart, as springing from themselves, or from a received, ingrafted notion, that the treaty of Union has been injurious and dishonourable to their nation. If the former, tho' of no promising complexion, since they have been acquainted with the reputed virtues of their late leader, yet may it be removed in time by lenity and indulgence on the part of the princes of the present royal family; but, if the latter; if the latent seeds of the discontent of the Scotch blended with the Union, as there are cogent reasons for supposing they are, I fear the noxious effects won't cease while the cause remains.

It matters not whether the Union be of advantage or disadvantage to Scotland, if the Scotch think it hurtful and inglorious; and that most of them are of this opinion, seems evident from the repeated publick promises of the competitor to dissolve that compact, as the hardship from which the nation wanted most to be relieved.

However the Union may be convenient to England, and perhaps, beneficial to Scotland, in point of trade and industry, it will be difficult to persuade a people, tenacious of the splendor and glory

glory of an ancient kingdom, that any benefits arising from an increase of commerce, can compensate for the loss they sustain by a dissolution of their parliaments, and a removal of all the other marks and ensigns of their independency. And I find this point to be that, which had been the most warmly and strenuously argued, and insisted on in Scotland, at the time when the articles of the Union were considered by the last parliament of that kingdom.

All the Scotch instructions to their representatives, all their addresses to parliament, and to the throne, turned principally on this point, in those days. The Scotch seem rather to have indulged, than endeavour'd to have eradicated the prejudice among them ever since. And if one may form a judgment from the conversation of such of them as speak freely on the subject here among us, we may be sure it will never wear off, while the cause subsists, notwithstanding any laws that can be made, how coercive soever, by a parliament in which Scotland is thought to be slenderly represented.

If a remedy can be apply'd to an evil, which has already been productive of much mischief, and may be of more, and greater, 'tis pity our statesmen don't turn their thoughts rather to closing than widening a breach, already too large, and likely to become wider than ever, by severities said to be intended against that Northern part of our island.

For my own part, that wish for nothing more ardently than concord among all his majesty's subjects, I declare, that I had no other view in reprinting the following extraordinary speech spoken by my lord Belhaven, in 1706, but to shew, that what the Scotch were then they are at this day; and that while the Union subsists on the present footing,

footing, deemed extremely unequal by the grumbling Scots, we are never to expect the hearty concurrence of that prejudiced people to our views and interests.

Coercive laws and severe usage may intimidate, but are not so likely to reclaim as indulgence. Severity towards a stubborn, free people has often the same effect, which weight is said, by naturalists, to have on the palm-tree, which shoots up the quicker the greater weight that is laid upon it; or as persecution is known to have in the establishment of any religious system.

My lord Belhaven was a great, and a good man, a true protestant, and as true a revolutioner. But, as a wise man, he saw the ill blood which the Union would continually create in his country, to the danger of that settlement of the crown, which he had so much at heart. And for that reason, as because he foresaw that corruption, venality, and subserviency, would be the consequences of dependency on an opulent haughty nation, he was against the Union, and produced such arguments to enforce his opinion, as were neither then nor since attempted to be answer'd.

But why do I detain the curious reader from the Speech, which paints that noble patriot far more truly and lively than I am capable of. His lordship passes with the Scotch for a Prophet; and indeed, they may be well justified in dignifying him with the epithet, tho' acquired by the sole force and strength of his judgment, which pointed out to him the pernicious consequences of a compact forced upon his countrymen by a few designing men among themselves, that had been gained by the then English * minister, to concur with him in bringing about an Union of both kingdoms, as the only means to retrieve his own preceding misconduct,

* Earl Godolphin.

conduct, in regard to the security of Scotland; and perhaps, to save him from the scaffold.

'Tis never prudent, and seldom safe to force unpopular laws upon any people, much less on a brave and determin'd commonalty; wherefore, it were to be wish'd the late law for stripping the Highlanders had been postponed till a general peace. And I can't help thinking that some distinction might have been made in the bill, in favour of the loyal and well-affected clans, who certainly merited some particular marks of esteem from the government, if it be true that the suppression of the rebellion was chiefly owing to them.

The voice of the people is too commonly slighted by modern ministers; but it was not so with the wise ancients. Had the partizans of the Union listen'd to it in 1706, we probably had not seen two rebellions since, that had distracted the united kingdom for a time, and almost ruin'd Scotland. Never were a people seen more united than the Scotch, against being incorporated with their more southern fellow-subjects. It may be said, they were to a man against the Union: for, tho' the question for it was carried by a majority in their last parliament, the history of those times shews how that majority was gain'd. But let us hear the Scotch pastors speak, who best know at all times the minds and tempers of the nation.

* ' But that which more especially obliges us in
' duty and conscience, as ministers of the gospel
' of peace, most humbly to interpose with your
' grace and lordships, is the lamentable and dis-
' tracted state of the kingdom, from the sad
' apprehensions they have, and have expressed in
' their several addresses to the parliament, of the
' woeful

* Address of the presbytery of Hamilton to parliament, presented December 11, 1706.

‘ of the woeful effects, and consequences of such
 ‘ an Union to their liberties both civil and religi-
 ‘ ous, and that it cannot be entered into by the
 ‘ nation in the terms prescribed, *without incurring*
 ‘ *the guilt of national perjury*: And tho’ hitherto
 ‘ we have endeavoured to keep them from break-
 ‘ ing out, yet the ferment and dissatisfaction doth
 ‘ so increase *amongst all*, that we are justly afraid
 ‘ of what these things may turn to.

‘ We do, therefore, (after serious supplication
 ‘ at the throne of grace) *most earnestly implore, and*
 ‘ *with humility beseech in the bowels of our Lord JE-*
 ‘ *SUS CHRIST*, that your Grace and Lordships
 ‘ may compassionate the trembling state of this na-
 ‘ tion, and listen, as it were, to their *dying groans*:
 ‘ God having put it in your hands to allay their
 ‘ fears, avert their dangers, and prevent the dreadful
 ‘ confusions that threaten this land, by laying aside
 ‘ this Incorporating Union with England, as of-
 ‘ fer’d in the treaty, &c.

Tho’ various weighty exceptions were taken to many of the articles of the treaty of Union, while it was under the consideration of the parliament of Scotland, which might guide us, of the present age, in the new modelling that compact more to the Scotch palate, yet I shall mention here one only, which seems to deserve, even at this time, the attention of the legislature in a particular manner, as the article on which it was founded, carries with it an appearance of too great partiality in favour of England.

A clause being offered by the lord Belhaven, for] exempting Scotchmen from the Sacramental Test, through all the dominions of Great-Britain, it was objected to by the courtiers, upon which the following reply was made by, I suppose, the same nobleman,

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‘ That

‘ That the design of the Union was Equality ;
 ‘ but this was the greatest Inequality imaginable ;
 ‘ for the English were free to possess places in Scot-
 ‘ land, without any such imposition, but the Scotch
 ‘ were excluded from places in England, without
 ‘ taking the Test ; and that though the English
 ‘ thought the Test a good security for their church,
 ‘ it was not reasonable that the Scotch, being a
 ‘ part of the same united kingdom, and obliged
 ‘ to maintain the Presbyterian government in Scot-
 ‘ land, should therefore be excluded the Prince’s
 ‘ favour in any part of the united kingdom.

Here, one would think, were Reason and Jus-
 tice on the side of the objector ; but how often
 were Majorities known to have been deaf to the
 united voices of both ? One main satisfaction, how-
 ever, we of this nation have, which is, that nei-
 ther our laws nor law-makers are deem’d infal-
 lible ; so that it is in the power of a subsequent
 parliament to amend and correct the errors of a
 former. If then the present parliament should be
 of opinion, that the Union bears too hard upon
 our northern protestant brethren, in the whole, or
 in part, it is to be hoped they will apply an ad-
 equate remedy, that the seeds of rebellion may
 not hereafter meet with any soil in Scotland to
 thrive and prosper in.

The

The lord Belhaven's speech in the Scotch-parliament, on Saturday the second of November, 1706, upon the subject-matter of an Union betwixt the two kingdoms of Scotland and England.

My lord chancellor,

WHEN I consider this affair of an Union betwixt the two nations, as it is express'd in the several articles thereof, and now the subject of our deliberation at this time; I find my mind crouded with variety of very melancholy thoughts, and I think it my duty to disburden myself of some of them, by laying them before, and exposing them to the serious consideration of this honourable house.

I think I see a free and independent kingdom delivering up that, which all the world hath been fighting for, since the days of Nimrod; yea, that for which most of all the empires, kingdoms, states, principalities, and dukedoms of Europe, are at this very time engaged in the most bloody and cruel wars that ever were; to wit, a power to manage their own affairs by themselves, without the assistance and counsel of any other.

I think, I see a national church, founded upon a rock, secured by a claim of right, hedged and fenced about by the strictest and pointed'st legal sanction that sovereignty could contrive, voluntarily descending into a plain, upon an equal level with Jews, Papists, Socinians, Arminians, Anabaptists, and other sectaries, &c.

I think, I see the noble and honourable peerage of Scotland, whose valiant predecessors led armies against their enemies upon their own proper charges and expences, now divested of their followers and

vassalages, and put upon such an equal foot with their vassals, that I think I see a petty English exciseman receive more homage and respect, than what was paid formerly to their quondam Mackallamors.

I think I see the present peers of Scotland, whose noble ancestors conquered provinces, over-run countries, reduced and subjected towns and fortify'd places, exacted tribute through the greatest part of England, now walking in the court of Requests, like so many English attornies, laying aside their walking with swords when in company with the English peers, lest their self-defence should be found murder.

I think I see the honourable estate of barons, the bold asserters of the nation's right and liberties in the worst of times, now setting a watch upon their lips, and a guard upon their tongues, lest they be found guilty of *scandalum magnatum*.

I think I see the royal state of boroughs, walking their desolate streets, hanging down their heads under disappointments; wormed out of all the branches of their old trade, uncertain what hand to turn to, necessitate to become apprentices to their unkind neighbours; and yet after all, finding their trade so fortified by companies, and secured by prescriptions, that they despair of any success therein.

I think I see our learned judges laying aside their practiques and decisions, studying the common law of England, gravelled with certioraries, nisi prius's, writs of error, verdicts indovar, ejectione firmæ, injunctions, demurrs, &c. and frightened with appeals and avocations, because of the new regulations and rectifications they may meet with.

I think I see the valiant and gallant soldiery either sent to learn the plantation-trade abroad; or at home petitioning for a small subsistence, as the reward

ward of their honourable exploits, while their old corps are broken, the common soldiers left to beg, and the youngest English corps kept standing.

I think I see the honest industrious tradesman loaded with new taxes and impositions, disappointed of the equivalents, drinking water in place of ale, eating his saltless pottage, petitioning for encouragement to his manufactories, and answered by counter petitions.

In short, I think I see the laborious ploughman, with his corn spoiling upon his hands for want of sale, cursing the day of his birth, dreading the expence of his burial, and uncertain whether to marry, or do worse.

I think I see the incurable difficulties of the landed men, fettered under the golden chain of equivalents, their pretty daughters petitioning for want of husbands, and their sons for want of employment.

I think I see our mariners delivering up their ships to their Dutch partners; and what thro' presses and necessity, earning their bread as underlings in the royal English navy.

But above all, my lord, I think I see our ancient mother Caledonia, like Cæsar, sitting in the midst of our senate, ruefully looking round about her, covering herself with her royal garment, attending the fatal blow, and breathing out her last with a *et tu quoque mi fili*.

Are not these, my lord, very afflicting thoughts? And yet they are the least part suggested to me by these dishonourable articles, should not the considerations of these things vivify these dry bones of ours? Should not the memory of our noble predecessors, Valour and Constancy, rouse up our drooping spirits? Are our noble predecessors souls got so far into the English cabbage-stock and colliflowers, that we should shew the least inclination that way?

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Are our eyes so blinded? Are our ears so deafened? Are our hearts so hardened? Are our tongues so faltered? Are our hands so fettered, that in this our day, I say, my lord, that in this our day, that we should not mind the things that concern the very being and well-being of our ancient kingdom, before the day be hid from our eyes.

No, my lord, God forbid; man's extremity is God's opportunity: he is a present help in time of need, and a deliverer, and that right early. Some unforeseen providence will fall out, that may cast the ballance; some Joseph or other will say, Why do ye strive together, since you are brethren? None can destroy Scotland, save Scotland's self; hold your hand from the pen, you are secure. Some Judah or other will say, Let not our hands be upon the lad, he is our brother. There will be a Jehovah-Jireh, and some ram will be caught in the thicket, when the bloody knife is at our mother's throat: let us up then, my lord, and let our noble patriots behave themselves like men, and we know not how soon a blessing may come.

My lord, I wish from my heart that this my vision prove not as true, as my reasons for it are probable: I design not at this time to enter into the merits of any one particular article; I intend this discourse, as an introduction to what I may afterwards say upon the whole debate, as it falls in before this honourable house; and therefore, in the farther prosecution of what I have to say, I shall insist upon some few particulars, very necessary to be understood, before we enter into the detail of so important a matter.

I shall therefore, in the first place, endeavour to encourage a free and full deliberation, without animosities and heats. In the next place, I shall endeavour to make an inquiry into the nature and source of the unnatural and dangerous divisions that
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are now on foot within this isle, with some motives ; shewing, that it is our interest to lay them aside at this time : then I shall inquire into the reasons which have induced the two nations to enter into a treaty of Union at this time, with some considerations and meditations, with relation to the behaviour of the lords-commissioners of the two kingdoms, in the management of this great concern. And, lastly, I shall propose a method, by which we shall most distinctly, and without confusion, go through the several articles of this treaty, without unnecessary repetitions, or loss of time. And all this with all deference, and under the correction of this honourable house.

My lord chancellor, the greatest honour that was done unto a Roman, was to allow him the glory of a triumph ; the greatest and most dishonourable punishment, was that of parricide : he that was guilty of parricide, was beaten with rods upon his naked body, till the blood gushed out of all the veins of his body ; then he was sowed up in a leather-sack, called a Culeus, with a cock, a viper, and an ape, and thrown headlong into the sea.

My lord, hypocrisy is a greater crime than parricide all the world over.

In a triumph, my lord, when a conqueror was riding in his triumphal chariot, crowned with laurels, adorned with trophies, and applauded with huzzas, there was a monitor appointed to stand behind him, to warn him, not to be high-minded, nor puffed up with over-weening thoughts of himself ; and to his chariot were tied a whip and a bell, to mind him, that for all his glory and grandeur, he was accountable to the people for his administration, and would be punished as other men, if found guilty.

The greatest honour among us, my lord, is to represent the sovereign's sacred person in parliament ;
and

and in one particular it appears to be greater than that of a triumph ; because the whole legislative power seems to be wholly trusted with him ; if he give the royal assent to an act of the estates, it becomes a law obligatory upon the subject, tho' contrary, or without any instructions from the sovereign : if he refuse the royal assent to a vote in parliament, it cannot be a law, tho' he has the sovereign's particular and positive instructions for it.

His grace the duke of Queensberry, who now represents her majesty in this session of parliament, hath had the honour of that great trust, as often, if not more, than any Scotchman ever had : he hath been the favourite of two successive sovereigns, and I cannot but commend his constancy and perseverance, that, notwithstanding his former difficulties, and unsuccessful attempts, and maugre some other specialities not yet determined, that his grace has yet had the resolution to undertake the most unpopular measures last. If his grace succeed in this affair of an Union, and that it prove for the happiness and welfare of the nation, then he justly merits to have a statue of gold erected for himself ; but if it should tend to the intire destruction and abolition of our nation ; and that we, the nation's trustees, shall go into it ; then I must say, that a whip and a bell, a cock, a viper, and an ape, are too small punishments for any such bold unnatural undertaking and complaisance.

That I may pave a way, my lord, to a full, calm, and free reasoning upon this affair, which is of the last consequence unto this nation ; I shall mind this honourable house, that we are the successors of our noble predecessors, who founded our monarchy, framed our laws, amended, altered, and corrected them from time to time, as the affairs and circumstances of the nation did require, without the assistance or advice of any foreign power or potentate ;
and

and who, during the time of two thousand years, have handed them down to us a free independent nation, with the hazard of their lives and fortunes: shall not we then argue for that, which our progenitors have purchased for us at so dear a rate? and with so much immortal honour and glory? God forbid. Shall the hazard of father unbind the ligaments of a dumb son's tongue; and shall we hold our peace, when our *patria* is in danger? I speak this, my lord, that I may encourage every individual member of this house, to speak their mind freely. There are many wise and prudent men amongst us, who think it not worth their while to open their mouths; there are others, who can speak very well, and to good purpose, who shelter themselves under the shameful cloak of silence, from a fear of the frowns of great men and parties. I have observed, my lord, by my experience, the greatest number of speakers in the most trivial affairs; and it will always prove so, while we come not to the right understanding of our oath *de fidelitate*, whereby we are bound not only to give our vote, but our faithful advice in parliament, as we should answer to God; and in our ancient laws, the representatives of the honourable barons, and the royal boroughs, are termed spokesmen. It lies upon your lordships therefore particularly to take notice of such, whose modesty makes them bashful to speak. Therefore I shall leave it upon you, and conclude this point with a very memorable saying of an honest private gentleman to a great queen, upon occasion of a state-project, contrived by an able statesman, and the favourite to a great king, against a peaceable obedient people, because of the diversity of their laws and constitutions: If at this time thou hold thy peace, salvation shall come to the people from another place; but thou and thy house shall perish.

perish. I leave the application to each particular member of this house.

My lord, I come now to consider our divisions. We are under the happy reign (blessed be God) of the best of queens, who has no evil design against the meanest of her subjects, who loves all her people, and is equally beloved by them again; and yet that under the happy influence of our most excellent queen, there should be such divisions and factions, more dangerous and threatening to her dominions, than if we were under an arbitrary government, is most strange and unaccountable. Under an arbitrary prince, all are willing to serve, because all are under a necessity to obey, whether they will or not. He chuses therefore whom he will, without respect to either parties or factions; and, if he think fit to take the advices of his councils, or parliaments, every man speaks his mind freely, and the prince receives the faithful advices of his people without the mixture of self-designs: if he prove a good prince, the government is easy; if bad, either death, or a revolution, brings a deliverance. Whereas here, my lord, there appears no end of our misery, if not prevented in time; factions are now become independent, and have got footing in councils, in parliaments, in treaties, in armies, in incorporations, in families, among kindred, yea, man and wife are not free from their political jars.

It remains therefore, my lord, that I inquire into the nature of these things, and since the names give us not the right idea of the thing, I am afraid I shall have difficulty to make myself well understood.

The names generally used to denote the factions are Whig and Tory, as obscure as that of Guelfs and Gibelins: yea, my lord, they have different significations, as they are applied to factions in each kingdom;

kingdom ; a Whig in England is a heterogeneous creature, in Scotland he is all of a piece ; a Tory in England is all of a piece and a statesman ; in Scotland, he is quite otherways, an anti-courtier and an anti-statesman.

A Whig in England appears to be somewhat like Nebuchadnezzar's image of different metals, different classes, different principles, and different designs ; yet, take them altogether, they are like a piece of fine mixed drugget of different threads, some finer, some coarser, which after all make a comely appearance, and an agreeable suit. Tory is like a piece of loyal-made English cloth, the true staple of the nation, all of a thread ; yet, if we look narrowly into it, we shall perceive diversity of colours, which (according to the various situations and positions) makes various appearances : sometimes Tory is like the moon in its full, as appeared in the affair of the bill of the Occasional Conformity ; upon other occasions it appears to be under a cloud, and, as if it were eclipsed by a greater body, as it did in the design of calling over the illustrious princess Sophia. However, by this we may see, their designs are to out-shoot Whig in his own bow.

Whig in Scotland is a true-blue presbyterian, who, without considering time or power, will venture their all for the kirk : but something less for the state. The greatest difficulty is, how to describe a Scotch Tory. Of old, when I knew them first, Tory was an honest-hearted comradish fellow, who, provided he was maintain'd and protected in his benefices, title, and dignities by the state, he was the less anxious who had the government and management of the church : but now what he is, since *jure* divinity came in fashion ; and that christianity, and, by consequence, salvation comes to depend upon episcopal ordination, I profess I know not what to make of him ; only this I must say for him,

that he endeavours to do by opposition, that which his brother in England endeavours by a more prudent and less scrupulous method.

Now, my lord, from these divisions, there has got up a kind of aristocracy, something like the famous triumvirate at Rome; they are a kind of undertakers and pragmatic statesmen, who finding their power and strength great, and answerable to their designs, will make bargains with our gracious sovereign; they will serve her faithfully, but upon their own terms; they must have their own instruments, their own measures; this man must be turned out, and that man put in, and then they'll make her the most glorious queen in Europe.

Where will this end, my lord? Is not her majesty in danger by such a method? Is not the monarchy in danger? Is not the nations peace and tranquillity in danger? Will a change of parties make the nation more happy? No, my lord, the seed is sown, that is like to afford us a perpetual increase; it is not an annual herb, it takes deep root, it feeds and breeds; and if not timely prevented by her majesty's royal endeavours, will split the whole island in two.

My lord, I think, considering our present circumstances at this time, the almighty God has reserved this great work for us. We may bruise this hydra of division, and crush this cockatrice's egg. Our neighbours in England, are not yet fitted for any such thing; they are not under the afflicting hand of providence, as we are; their circumstances are great and glorious, their treaties are prudently manag'd, both at home and abroad, their generals brave and valorous, their armies successful and victorious, their trophies and laurels memorable and surprizing; their enemies subdued and routed, their strong holds besieg'd, and taken, sieges reliev'd, marshals kill'd and taken prisoners, provinces and
kingdoms

kingdoms are the results of their victories; their royal navy is the terror of Europe, their trade and commerce extended through the universe, incircling the whole habitable world, and rendering their own capital city the emporium for the whole inhabitants of the earth; and, which is yet more than all these things, the subjects freely bestowing their treasure upon their sovereign; and above all, these vast riches, the sinews of war (and without which all the glorious successes had proved abortive) these treasures are manag'd with such faithfulness and nicety, that they answer seasonably all their demands, though at never so great a distance. Upon these considerations, my lord, how hard and difficult a thing will it prove, to persuade our neighbours to a self-denying bill!

It is quite otherways with us, my lord, we are an obscure poor people, tho' formerly of better account, removed to a remote corner of the world, without name, and without alliances, our posts mean and precarious; so that I profess I don't think any one post of the kingdom worth the bringing after, save that of being commissioner to a long session of a factious Scotch parliament, with an antedated commission; and that yet renders the rest of the ministers more miserable. What hinders us then, my lord, to lay aside our divisions, to unite cordially and heartily together in our present circumstances, when our all is at stake? Hannibal, my lord, is at our gates, Hannibal is come within our gates, Hannibal is come the length of this table, he is at the foot of this throne; if we take not notice, he'll seize upon this regalia, he'll take them as our *spolia optima*, and whip us out of this house, never to return again.

For the love of God then, my lord, for the safety and welfare of our ancient kingdom, whose sad circumstances, I hope, we shall yet convert in-

to

to prosperity and happiness ! We want no means, if we unite ; God blesteth the peace-makers ; we want neither men, nor sufficiency of all manner of things necessary, to make a nation happy ; all depends upon management, *concordia res parvæ crescunt*. I fear not these articles, though they were ten times worse than they are, if we once cordially forgive one another, and that according to our proverb, * *Bygones be bygones, and fair play for time to come*. For my part, in the sight of God, and in the presence of this honourable house, I heartily forgive every man, and beg that they may do the same to me ; and I do most humbly propose, that his grace, my lord commissioner, may appoint an Agape, may order a love-feast for this honourable house, that we may lay aside all self-designs, and after our fasts and humiliations, may have a day of rejoicing and thankfulness, may eat our meat with gladness, and our bread with a merry heart ; then shall we sit each man under his own fig-tree, and the voice of the turtle shall be heard in our land, a bird famous for constancy and fidelity.

My lord, I shall make a pause here, and stop going on farther in my discourse, 'till I see farther, if his grace, my lord commissioner, receive any humble proposals for removing misunderstandings among us, and putting an end to our fatal divisions ; upon honour I have no other design, and I am content to beg the favour upon my bended knees.

[*No answer.*]

My lord chancellor, I am sorry that I must pursue the thread of my sad and melancholy story ; What remains, I am afraid may prove as afflicting as what I have said ; I shall therefore consider the motives which have engaged the two nations to enter upon a treaty of Union at this time. In general,

* Let all anterior faults be forgiven.

ral; my lord, I think both of them had in their view, to better themselves by the treaty ; but before I enter upon the particular motives of each nation, I must inform this honourable house, that since I can remember, the two Nations have alter'd their sentiments upon that affair, even almost to down-right contradiction, they have chang'd headbands, as we say ; for England, 'till of late, never thought it worth their pains of treating with us ; the good bargain they made at the beginning, they resolve to keep, and that which we call an incorporating Union, was not so much as in their thoughts. The first notice they seem'd to take of us, was in our affair of Caledonia, when they had most effectually broke off that design in a manner, very well known to the world, and unnecessary to be repeated here ; they kept themselves quiet during the time of our complaints upon that head. In which time our sovereign, to satisfy the nation, and allay their heats, did condescend to give us some good laws, and amongst others, that of personal liberties ; but England having declared their succession, and extended their intail, without ever taking notice of us, our gracious sovereign queen Ann was graciously pleased to give the royal assent to our Act of Security, to that of peace and war after the decease of her majesty, and the heirs of her body, and to give us a hedge to all our sacred and civil interests, by declaring it high treason to endeavour the alteration of them, as they were then establish'd. Thereupon did follow threatening and minatory laws against us by the parliament of England, and the unjust and unequal character of what her majesty had so graciously condescended to in our favours. Now, my lord, whether the desire they had to have us engag'd in the same succession with them ? Or whether they found us like a free and independent people, breathing after more liberty than

than what formerly was looked after? Or whether they were afraid of our Act of Security, in case of her majesty's decease? Which of all these motives has induced them to a treaty, I leave it to themselves. This I must say only, they have made a good bargain this time also.

For the particular motives that induced us, I think are obvious to be known; we found by sad experience, that every man hath advanced in power and riches, as they have done in trade, and at the same time considering, that no where through the world, slaves are found to be rich, though they should be adorned with chains of gold; we thereupon changed our notion of an incorporating Union, to that of a federal one; and being resolved to take this opportunity to make demands upon them, before we enter into the succession, we were content to empower her majesty to authorise and appoint commissioners to treat with the commissioners of England, with as ample powers as the lords-commissioners from England had from their constituents, that we might not appear to have less confidence in her majesty, nor more narrow hearted in our act than our neighbours of England: and thereupon last parliament, after her majesty's gracious letter was read, desiring us to declare the succession in the first place, and afterwards to appoint commissioners to treat, we found it necessary to renew our former resolve, which I shall read to this honourable house.

Resolve presented by the duke of Hamilton last session of parliament.

That this parliament will not proceed to the nomination of a successor, 'till we have had a previous treaty with England, in relation to our commerce, and other concerns with that nation. And farther, it is resolved, that this parliament will proceed to make
such

such limitations and conditions of government, for the rectification of our constitution, as may secure the liberty, religion, and independency of this kingdom, before they proceed to the said nomination.

Now, my lord, the last session of parliament having, before they would enter upon any treaty with England, by a vote of the house, pass both an act for limitations, and an act for rectification of our constitution. What mortal man has reason to doubt the design of this treaty was only federal?

My lord chancellor, it remains now, that we consider the behaviour of the lords-commissioners at the opening of this treaty. And before I enter upon that, allow me to make this meditation, that if our posterity, after we are all dead and gone, should find themselves under an ill-made bargain, and shall have a recourse unto our records, and see who have been the managers of that treaty, by which they have suffer'd so much: when they read the names, they will certainly conclude, and say, Ah! our nation has been reduc'd to the last extremity, at the time of this treaty; all our great chieftains, all our great peers, and considerable men, who used formerly to defend the rights and liberties of the nation, have been all kill'd, and dead in the bed of honour, before ever the nation was necessitated to condescend to such mean and contemptible terms. Where are the names of the chief men, of the noble families of Stuarts, Hamiltons, Grahams, Campbels, Gordons, Johnstons, Humes, Murrays, Kers, &c.? Where are the two great officers of the crown, the constables and marshals of Scotland? They have certainly all been extinguish'd, and now we are slaves for ever.

Whereas the English records will make their posterity reverence the memory of the honourable names, who have brought under their fierce, warlike, and troublesome neighbours, who had strug-
D
gled

gled so long for independency, shed the best blood of their nation, and reduced a considerable part of their country to become waste and desolate.

I am inform'd, my lord, that our commissioners did indeed frankly tell the lords-commissioners for England, That the inclination of the people of Scotland were much alter'd of late, in relation to an incorporating Union, and that therefore, since the intail was to end with her majesty's life (whom God long preserve) it was proper to begin the treaty upon the foot of the treaty in the 1604th year of God, the time when we came first under one sovereign: but this the English commissioners would not agree to; and our commissioners, that they might not seem obstinate, were willing to treat and conclude in the terms laid before this honourable house, and subjected to their determination.

If the lords-commissioners for England had been as civil and complaisant, they should certainly have finish'd a federal treaty likewise, that both nations might have their choice, which of them to have gone into, as they thought fit; but they would hear of nothing, but of an intire and compleat Union, a name which comprehends an Union, either by incorporation, surrender, or conquest; whereas our commissioners thought of nothing but a fair, equal, and incorporating Union. Whether this be so or no, I leave it to every man's judgment; but as for myself, I must beg liberty to think it no such thing: for I take an incorporating Union to be, where there is a change both in the material and formal points of government, as if two pieces of metal were melted down into one mass, it can neither be said to retain its former form or substance, as it did before the mixture: but now, when I consider this treaty, as it hath been explained, and spoke to before us these three weeks past, I see the English constitution remaining
firm,

firm, the same two houses of parliament, the same taxes, the same customs, the same excises, the same trade in companies, the same municipal laws and courts of judicature ; and all ours either subject to regulations or annihilations, only we have the honour to pay their old debts, and to have some few persons present, for witnesses to the validity of the deed when they are pleased to contract more.

Good God ! What, is this an intire surrender ?

My lord, I find my heart so full of grief and indignation, that I must beg pardon not to finish the last part of my discourse, that I may drop a tear, as the prelude to so sad a story.

After having sat down, and some discourses by other members intervening, he continued his discourse thus:

My lord chancellor, what I am now to say, relates to the method of proceeding in this weighty affair : I hear it proposed by a noble member of the other side, that we should proceed in the same order, as the lords-commissioners treaters did. In my humble opinion, my lord, it is neither the natural method, nor can it be done without great confusion and repetition. To say, you'll agree to the Union of the two kingdoms, before you agree in the terms upon which they are to be united, seems like driving the plough before the oxen. The articles, which narrate the conditions, seem to be the premisses upon which the conclusion is inferred ; and according as they are found good or bad, the success will follow. When a man is married to a fortune in England, as they call it, I suppose he is satisfied with the thing before he determines himself to marry ; and the proposal I have heard of agreeing to the first article with a proviso, that if the rest of the articles shall be found satisfactory, and no otherwise, is of a piece with the rest, and looks like beating the air, and no ways consistent with

with fair and square dealings. Besides, my lord, if we were to go upon the first article, are not all the rest of the articles, besides many others not contained in the articles, valid arguments either *pro* or *con*, against concluding or not concluding the first article? And no vote in this house can hinder a man from making use of what arguments he thinks fit. Moreover, the searching the records, and the revising the statute books, comparing the books of rates, customs, excise, taxes, of both nations with one another, must all be previously consider'd ere we determine ourselves in one single article; add to this, that the prohibitory clause with relation to the trade of both nations must be adjusted, lest, like Æsop's dog, we lose the old in grasping at the new; the state of the English companies must also be expos'd how far we shall have liberty into them, and what advantage we may propose to ourselves by trading to those places where they are secured; and above all, my lord, the security of our national church, and of all that's dear unto us, must be previously established to us, if practicable, before we conclude the first article. Therefore, my lord, though my particular opinion be, though we had a *charte blanc* from England; yet the delivery up of our sovereignty, gives back with one hand, what we receive with the other; and that there can be no security without the guarantee of a distinct independency betwixt the parties treating: yet, my lord, for farther satisfaction to this honourable house, that every member may fully satisfy himself, I humbly propose, that passing by the first three articles, which appear to be much of a piece, we begin at the fourth article of the treaty; and if I be seconded in this, I desire it may be put to the question.

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